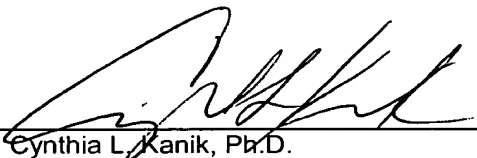


**TRANSMITTAL OF APPEAL BRIEF**Docket No.  
ATX-007CP4DV12In re Application of: John J. HARRINGTON *et al.*Application No.  
09/484331-Conf. #9576Filing Date  
January 18, 2000Examiner  
J. T. VoitachGroup Art Unit  
1632Invention: COMPOSITIONS AND METHODS FOR NON-TARGETED ACTIVATION OF  
ENDOGENOUS GENES**TO THE COMMISSIONER OF PATENTS:**Transmitted herewith is the Appeal Brief in this application, with respect to the Notice of Appeal  
filed: April 5, 2005The fee for filing this Appeal Brief is \$ 250.00☐ Large Entity☒ Small Entity☒ A petition for extension of time is also enclosed.The fee for the extension of time is \$ 795.00☐ A check in the amount of \_\_\_\_\_ is enclosed.☒ Charge the amount of the fee to Deposit Account No. 12-0080  
This sheet is submitted in duplicate.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge any additional fees that may be required or  
credit any overpayment to Deposit Account No. 12-0080  
This sheet is submitted in duplicate.  
Cynthia L. Kanik, Ph.D.Dated: October 5, 2005Attorney Reg. No. : 37,320  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV553871396US,  
in an envelope addressed to: MS Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on  
the date shown below.

Dated: October 5, 2005

Signature:  (Cynthia L. Kanik, Ph.D.)



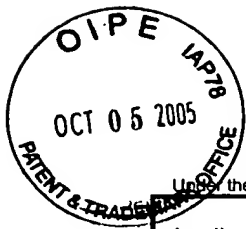
<b>Effective on 12/08/2004.</b> Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		<b>Complete if Known</b>	
<b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		Application Number	09/484331-Conf. #9576
		Filing Date	January 18, 2000
		First Named Inventor	John J. HARRINGTON
		Examiner Name	J. T. Weitach
		Art Unit	1632
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	ATX-007CP4DV12
<b>TOTAL AMOUNT OF PAYMENT (\$)</b> 1,545.00			

<b>METHOD OF PAYMENT (check all that apply)</b>	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: <u>12-0080</u> Deposit Account Name: <u>Lahive &amp; Cockfield, LLP</u>
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
		<b>Small Entity</b>		<b>Small Entity</b>		<b>Small Entity</b>	
<b>Application Type</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
						<b>Small Entity</b>	
						<b>Fee (\$)</b>	<b>Fee (\$)</b>
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
<b>Total Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>		
_____ - 20 = _____		x _____	= _____		<b>Fee (\$)</b> <b>Fee Paid (\$)</b>		
<b>Indep. Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
_____ - 3 = _____		x _____	= _____				
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>			<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	
_____ - 100 = _____	/50	_____ (round up to a whole number) x _____			= _____		
<b>4. OTHER FEE(S)</b>							
						<b>Fees Paid (\$)</b>	
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): 2254 Extension for response within fourth month						795.00	
2402 Filing a brief in support of an appeal						250.00	
2403 Request for oral hearing						500.00	

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	37,320
Name (Print/Type)	Cynthia L. Kanik, Ph.D.	Telephone	(617) 227-7400
		Date	October 5, 2005

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Dated: October 5, 2005	Signature:  (Cynthia L. Kanik, Ph.D.)



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PTO/SB/92 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Application No. (if known): 09/484331

Attorney Docket No.: ATX-007CP4DV12

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on October 5, 2005  
Date

Signature

Cynthia L. Kanik, Ph.D.

Typed or printed name of person signing Certificate

37,320  
Registration Number, if applicable

(617) 227-7400  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Appeal Brief Transmittal (1 page)  
Fee Transmittal (1 page) in duplicate  
Four-Month Extension of Time (1 page)  
Appeal Brief (20 pages)  
Appendix A (1 page)  
Appendix B (Bennani Declaration - 6 pages)  
Appendix C (Dhanoa Declaration - 9 pages)  
Request for Oral Hearing (1 page)  
Return Receipt Postcard

The Commissioner is authorized to charge \$1,545.00 to Deposit Account 12-0080